

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

IN RE:

CASE NO.

KARGO CORPORATION

05-00101-5-ATS

DEBTOR

ORDER REGARDING APPLICATION TO EMPLOY ACCOUNTANT

The matter before the court is the debtor's application to employ Mary V. Bitner as accountant for the debtor nunc pro tunc. A hearing took place in Raleigh, North Carolina on June 9, 2005.

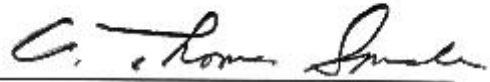
Kargo Corporation filed a petition for relief under chapter 11 of the Bankruptcy Code on January 11, 2005. On May 11, 2005, the debtor filed the application before the court for employment of Ms. Bitner nunc pro tunc to February 1, 2005. It appears that Ms. Bitner represents no interest adverse to the debtor or the estate and the debtor is authorized to employ Ms. Bitner to review the debtor's bookkeeping at a rate of no more than \$500 per month.

The bankruptcy administrator objected to employing Ms. Bitner nunc pro tunc to February 1, 2005, contending that the application was filed 120 days after the petition date. The court agrees that the delay was too long, and the application will not be approved nunc pro tunc. The court will instead allow Ms. Bitner to be paid at one-half of her rate for the months of February, March, and April, and will approve her employment at \$500 per month effective May 1, 2005.

Accordingly, the application for employment of Ms. Bitner is **ALLOWED**. Her services are compensable at \$250 per month for the months of February, March and April, and a maximum of \$500 per month thereafter.

SO ORDERED.

DATED: June 9, 2005

A handwritten signature in cursive script, reading "A. Thomas Small", written over a horizontal line.

A. Thomas Small
United States Bankruptcy Judge